

GOVERNMENT OF TELANGANA
ABSTRACT

I.E. - Sri Mohd.Qamar-Uz-Zaman, Junior Lecturer in History/Civics [Retired], Government Junior College, Chanchalguda, Hyderabad – Sanction of provisional pension @ 75% of normal pension pending finalization of disciplinary proceedings – Permission – Accorded – Orders – Issued.

HIGHER EDUCATION (IE) DEPARTMENT

G.O.Rt.No. 8

Dated: 12-01-2018

Read the following: -

- 1 From CIE, T.S., Hyd., Lr.Rc.No.Ser.II-3/455/2014, dt.15.2.2016, 17.05.2016, 02.12.2016.
- 2 Hon'ble APAT Order dt.27.4.2016, in OA No.1665 of 2016, filed by Mohd Qamar Uz Zaman.
- 3 High Court Order dt.14.02.2017, in WP No.40638 of 2016, filed by Mohd Qamar Uz-Zaman.
- 4 Govt.Memo.No.1484/IE/A1/2016, dt:07.04.2017.
- 5 From CIE, T.S., Hyd., Lr.Rc.No.Ser.II-3/455/2014, dt.15.07.2017.
- 6 D.O.Letter No.1484/IE/A1/2016, dt:26.08.2017.
- 7 From CIE, T.S., Hyd., Lr.Rc.No.Ser.II-3/455/2014, dt.07.12.2017.

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ORDER: -

In the reference 1st read above, the Commissioner of Intermediate Education (CIE), Telangana, Hyderabad, has stated that the Principal and Staff of M.A.M. Govt. Junior College for Girls, Nampally, Hyderabad has made certain allegations against Sri Mohd. Qamar-Uz-Zaman, Junior Lecturer in History/Civics that he behaved rudely and abused Principal and Staff members of the College. The Principal lodged a complaint against him in the Police Station and a Criminal Case was booked against him.

2. The CIE in his office memo dt.14.8.2014, directed the District Vocational Educational Officer (DIEO) Hyderabad to enquire into the matter. Based on the Inquiry report, Sri Mohd. Qamar-Uz-Zaman, Junior Lecturer in History/Civics, M.A.M. Govt. Junior College for Girls, Nampally, Hyderabad was placed under suspension vide CIE proceedings dt.22.08.2014. Later, based on the representation of the individual dt.02.9.2014, he was reinstated into service and posted at GJC, Chanchalguda, Hyderabad. Departmental proceedings were also instituted against him under Rule 20 of Telangana Civil Services (CC&A) Rules,1991, vide CIE proceedings dt.01.12.2014, subject to outcome of pending criminal and disciplinary case.

3. The CIE appointed DIEO Ranga Reddy District as Enquiry Officer to inquire into the charges leveled against him, vide CIE proceedings dt.03.10.2015. The DIEO, Ranga Reddy District in his letter dt.09.12.2015, stated that the individual retired on the A.N of 31.01.2015 on attaining the superannuation age of 58 years.

4. The individual filed OA No.1665/2016. The Hon'ble APAT in its Interim Order dt.27.4.2016 in OA No.1665/2016 directed the respondents as follows:-

"Pending disposal of the O.A., the respondents are directed to pay provisional pension to the applicant, within a period of two months from the date of receipt of a copy of this order."

5. The Individual has also filed W.P. No.40638 of 2016, with a prayer, a) the action of the Respondents in not implementing the orders passed by APAT in OA No.1665/2016, dt.27.4.2016 is illegal and arbitrary, 2) further declare that the Respondents are bound to implement the orders of the APAT in OA No.1665/2016, dt.27.4.2016 and make payment of Provisional pension of the Petitioner as violative of Article 14, 16, 85 and 21 of the Constitution of India.

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6. The Hon'ble High Court in its Order dt.14.02.2017, in W.P.No.40638 of 2016, directed the Respondents, as follows:-

"The Writ petition is accordingly disposed of directing the respondents to give effect to the interim order dt.27.4.2016 passed by the APAT Hyderabad in OA No.1665/2016 within four weeks from the date of receipt of a copy of this order."

7. In the reference 6th read above, Government has requested the CIE to look into this issue personally and send a proper reply as sought for in the Govt. Memos. dt.07.4.2017, 13.4.2017 & 20.7.2017 and also indicate the amount approved by the A.G. for provisional pension, so that the Government can issue further orders accordingly.

8. The CIE in the reference 7th read above, has stated that the complainant and the accused arrived at an amicable settlement before the Hon'ble Lokadalat. The Hon'ble LokAdalat has acquitted the Accused from the criminal case in view of amicable settlement of both the parties and the disciplinary proceedings against the individual are still pending.

9. The CIE has further stated that the Accountant General [A&E], Telangana, Hyderabad, in letter dated 01.11.2017 has calculated and furnished verification report informing that, the Service Pension of the individual is Rs.35,755/- and Death-cum-Retirement Gratuity is Rs.12,00,000/-. Accordingly, on the basis of Certification of Service Pension in respect of the individual by the Accountant General [A&E] is Rs.35,755/- and the provisional pension as per rule 52 of Revised Pension Rules, 1980 against whom the Departmental proceedings are pending shall be 75% of normal pension i.e., $\text{Rs.35,755} \times 75\% = \text{Rs.26,816/-}$ as the quantum of eligible provisional pension.

10. Government after careful examination of the matter, hereby sanction 75% of the normal pension i.e., $\text{Rs.35,755} \times 75\% = \text{Rs.26,816/-}$ as the quantum of eligible provisional pension to Sri Mohd.Qamar-Uz-Zaman, Junior Lecturer in History/Civics [Retired], Government Junior College, Chanchalguda, Hyderabad, as per Rule-52 and in terms of sub-rule 4 of rule-9 of the T.S.Revised Pension Rules, 1980, pending finalization of the disciplinary proceedings against him.

11. The Commissioner of Intermediate Education, Telangana State, Hyderabad, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

RANJEEV R.ACHARYA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Intermediate Education, Telangana State, Hyderabad.
The individual through the C.I.E., T.S., Hyderabad.
The Accountant General, Telangana State, Hyderabad.
The Director of Treasuries & Accounts, Telangana State, Hyderabad.
Copy to:-
The G.P. for Services, High Court, Telangana State, Hyderabad.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER